

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DCR MARKETING, INC. and DCR STRATEGIES
LEGAL, INC.,

Case No.: 1:19-cv-03249 (JPO)

Plaintiffs,

-against-

JOSEPHINE LEE PEREIRA,

Defendant.

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NOTICE OF MOTION TO DISMISS

Pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6), Defendant Josephine Lee Pereira, by her undersigned counsel, hereby moves to dismiss this action for lack of subject-matter jurisdiction and for failure to state a claim upon which relief may be granted. This motion is supported by the accompanying Declaration of David J. Kaplan, Esq., with Exhibit, and the accompanying Memorandum of Law.

As detailed in the accompanying papers, Defendant respectfully requests that the Court enter an Order dismissing this action for lack of subject-matter jurisdiction, or in the alternative dismissing all claims arising under the Computer Fraud and Abuse Act for failure to state a claim and declining to exercise subject-matter jurisdiction over the remainder of the state-law claims set forth in the Complaint, and granting such other and

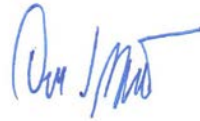
further relief as the court may deem just and proper under the circumstances.

Defendant respectfully requests oral argument on this motion.

Dated: May 23, 2019
New York, New York

Respectfully submitted,

GUZOV, LLC



By: _____
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